

REMARKS

The Office Action mailed July 8, 2003 has been reviewed and carefully considered. Claims 1-4 and 7 have now been canceled. Claims 8-19 have now been added and are pending in this case, with claims 8 and 16 being the independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

CLAIM OBJECTIONS:

Claims 1-4 and 7 were objected to for informalities.

Claims 1-4 and 7 have now been canceled and replaced with claims 8-19 to emphasize certain aspects of the invention, making the claim objections moot.

CLAIM REJECTIONS UNDER 35 U.S.C. 112, FIRST PARAGRAPH

Claims 1-4 and 7 were rejected under 35 U.S.C. 112, first paragraph. These rejections are now moot, since claims 1-4 and 7 have been canceled.

CLAIM REJECTIONS UNDER 35 U.S.C. 103(a):

Claims 1-4 and 7 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over U.S. Patent No. 6,269,208 to Bhatia et al. ("Bhatia").

Claims 1-4 and 7 have been canceled, making this rejection moot.

DOUBLE PATENTING REJECTION

Claim 1 was rejected under the judicially created doctrine of obviousness-

type double patenting as unpatentable over claims 1, 6-7 and 10 of U.S. Patent No. 6,201,911 to Jang ("Jang '911 patent").

The cancellation of claim 1 makes this rejection moot.

NEW CLAIMS:

Claim 8 finds support in the specification (providing step: FIGs. 3 and 4 and accompanying portions of the text; positioning step: page 7, line 20 – page 8, line 4; updating step: lines 12-17 of page 10, lines 6-17 of page 11; producing step, lines 6-11 of page 4).

Claim 9 finds support in the specification (page 10, lines 15-17).

Claims 10-13, 15 and 17-19 find support in the specification (page 2, lines 4-6; page 7, lines 8-18).

Claim 14 finds support in the specification (page 9, lines 11-15; page 11, lines 9-17).

Claim 16 finds support in the specification (providing step: FIGs. 3 and 4 and accompanying portions of the text; positioning step: page 7, line 20 – page 8, line 4; reducing step: page 12, line 15 to page 13, line 12; producing step, lines 6-11 of page 4).

Bhatia uses in FIG. 4 an amplitude mask in forming an optical fiber grating, but discloses neither rectification of beams into parallelism nor reduction of mask width as in new claims 8 and 16, respectively.

Amendment
Serial No. 09/750,576

Docket No. 5000-1-181.

The references applied in rejection of the claims are now moot in view of claim replacements.

As to the Jang '911 patent, the claims applied in the double patenting rejection likewise do not apply to the present invention's claims as now amended.

In view of the foregoing amendments and remarks, it is believed that this application is now in condition for allowance. The Examiner is invited to contact the undersigned in the event of any perceived outstanding issues so that passage of the case to issue can be effected without the need for a further Office Action.

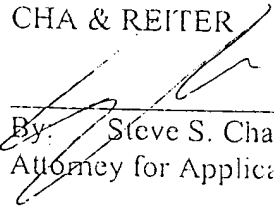
Amendment
Serial No. 09/750,576

Docket No. 5000-1-181.

In the event that any additional fee is required to continue the prosecution of this Application as requested, please charge such fee to Deposit Account No. 502-470.

Respectfully submitted,

CHA & REITER

By: 
Steve S. Cha
Attorney for Applicant

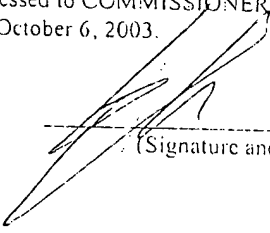
Date: October 6, 2003

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to COMMISSIONER FOR PATENTS, ALEXANDRIA, VA. 22313 on October 6, 2003.

Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)

 10/6/03
(Signature and Date)



Serial No. 09/250,576 Docket No. 540-1-181 Div. _____

Title FABRICATION METHOD OF APODIZED OPTICAL

In the Application of Heu-Gen Kim et al

the following papers have been received by the Patent and Trademark Office, as indicated by the date stamped hereon:

☐ Application For Patent

_____ pages of spec., claims & abs.

☐ Declaration

☐ Affidavit

☐ Drawings

☐ Assignment

☐ Priority document

☐ Power of Attorney

☐ Check for \$ _____

☐ _____

☒ Amendment AF ☐ Response

☐ Extension of Time

☐ Issue Fee

☐ Maintenance Fee

☐ Appln. TM Registration

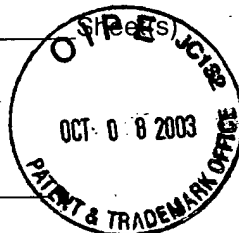
☐ 8 & 15 Declaration

☐ Renewal Application

☐ Notice of Appeal

☐ Brief

☐ Petition



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